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**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

APPLICANT(s): Kunzler et al.

DOCKET NO.: 072496.00003

SERIAL NO.: 08/ 944,234

GROUP ART UNIT: 3731

FILED: October 6, 1997

EXAMINER:

L. Ngo

INVENTION: "DRILL HEAD FOR USE IN PLACING AN
INTERVERTEBRAL DISC DEVICE"

**NOTICE OF APPEAL
AND REQUEST FOR EXTENSION OF TIME**

Applicants hereby appeal to the Board of Appeals from the decision of the

Primary Examiner, mailed July 5, 2000, finally rejecting claims 1-24.

This application is on behalf of a small entity. A small entity statement was filed in the prior and non-provisional application, and such status is still proper and desired.

Pursuant to 37 CFR 1.17 (b), the fee for filing the Notice of Appeal is \$155.00.

Applicants petition for a three-month extension of time under 37 CFR 1.136 in which to file this Notice of Appeal. In accordance with 37 CFR 1.17(a)(3), the fee for this extension is \$445.00.

A check in the amount of \$600.00, comprising the fee for the Notice of Appeal, and the fee for the extension of time, accompanies this Notice of Appeal
And Request for Extension of Time.

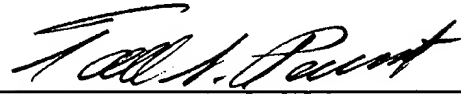
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Respectfully submitted,



(Reg. #26,494)

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CERTIFICATE OF MAILING

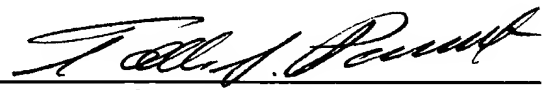
I hereby certify that this correspondence is being deposited with the
United States Postal Service as First Class Mail in an envelope addressed to:

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Commissioner For Patents

Washington, D.C. 20231

DATE: December 18, 2000



Attorney for Applicants

CHI1 #92058 v1